

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Caleb Pollack on 10/4/10.

The application has been further amended as follows:

Claims 39-43 have been cancelled.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 3/22/10 was filed after the mailing date of the Final Rejection on 1/19/10. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

3. Claims 1, 5, 7-13, 16, 17, 19, 20, 22-26 and 29-38 are allowed.

4. The following is an examiner's statement of reasons for allowance: The prior art fails to disclose or render obvious the claimed combination of an intrabody device comprising: a sensor sensing an environmental condition, said sensor sending a signal to an internal processor in response to said sensed environmental condition, and said processor issuing an activation signal to a degradable immobilizer in response to the signal received by the sensor.' Imran et al (U.S. Patent No. 6,535,764) discloses an

intrabody device having a sensor and a degradable immobilizer; however, Imran et al fails to disclose the level of automation of the present invention. In particular, Imran et al fails to disclose said degradable immobilizer receiving an activation signal from an internal processor in response to a signal received by the sensor. In contrast, Imran et al discloses a sensor which sends a signal to an external processor, wherein said signal can be analyzed by a user and a degradable immobilizer can be manually deployed by the user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL CANDLER whose telephone number is (571)270-3410. The examiner can normally be reached on Monday - Friday, 8 a.m. - 5 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Sweet can be reached on 571-272-4761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SAMUEL CANDLER/
Examiner, Art Unit 3779

/John P Leubecker/
Primary Examiner, AU 3779